



**MINUTES**  
**OCONEE COUNTY COUNCIL MEETING**  
**Regular Meeting**  
**June 7, 2011**

**MEMBERS, OCONEE COUNTY COUNCIL**

Mr. Joel Thrift, District IV, Council Chairman  
Mr. Paul Curbeil, District I, Vice Chairman  
Mr. Wayne McCall, District II, Chairman Pro Tem  
Mr. Archie Barron, District III  
Mr. Reg Dexter, District V

Oconee County Council met on Tuesday, June 7, 2011 at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Thomas L. Martin County Attorney, County Administrator Scott Moulder and Clerk to Council, Elizabeth G. Hulse present.

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeesc.com/council](http://www.oconeesc.com/council)]. In addition it was made available [upon request] to the newspapers, radio stations, television stations and concerned citizens.

Member of the press present: Dick Mangrum – WGOG Radio, Ray Chandler – Anderson Independent, Ashton Hester – Keowee Courier & Carlos Galarza - Daily Journal.

**Call to Order:** Mr. Thrift called the meeting to order at 6:00 p.m.

**Extended Public Comment Session:** None scheduled at this meeting.

**Public Comment Session [related to specific agenda items]:**

Mr. Kevin Moore addressed Council regarding Ordinance 2011-07 noting he had questions. Council directed Mr. Moore to contact the Planning Department to follow up.

Ms. Judith Watkins addressed Council regarding Ordinance 2011-07 noting she had questions. Council directed Ms. Watkins to contact the Planning Department to follow up.

**Public Comment Session [related to non-agenda items]:**

Mr. Berry Nichols addressed Council stating that taxes equal greed.

Mr. Donny Fricks addressed Council regarding design of the new jail voicing concerns that the project is expanding.

Mr. Glen McPheters addressed Council reading from a prepared statement [copy filed with these minutes] outlining citizen initiated activities in the Fair Play community.

Mr. Don Sanders addressed Council reading from a prepared statement [copy filed with these minutes] in support of the creation of an Oconee County Conservation Bank.

Mr. Doug Young addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] in support of the creation of an Oconee County Conservation Bank.

Mr. B. J. Littleton addressed Council noting that Council works for the citizens of Oconee County.

### **County Council Response to Public Comment:**

No Council Comments were made.

### **Meeting Recess:**

Mr. Thrift recessed the meeting to 6:35 p.m.

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### **Meeting Reconvene:**

Mr. Thrift reconvened the meeting to 7:00 p.m.

### **Pledge of Allegiance:**

Mr. McCall led the Pledge of Allegiance to the United States of America.

### **Minutes:**

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 that the minutes from the May 17, 2011 regular meeting, the May 24, 2011 special meeting, and the May 31, 2011 special meeting all be adopted as printed.

### **Follow-up Presentation related to Issues that arose from the May 24, 2011 Jail Design Special Meeting**

Mr. Joe Lee, Project Manager with Carter, Goble, Lee, along with Mr. Gary Retel, Wakefield Beasley/HOK Associates and Mr. Doug Davidson, New South Construction addressed Council along with Mr. Moulder outlining building options prepared based on feedback and requests made at the May 24, 2011 Council meeting. Various options [copies attached] were presented encompassing a simplified facade, use of a pre-engineered metal building and roof line modifications.

Mr. Moulder and Mr. Lee also addressed the option of including an additional 96 bed dorm unit for an additional \$1.8 million [Option #3A & #4]; noting that cost to construct at this time would be significantly cheaper than in the future and could extend the life from 25 to approximately 30 years. It was noted that Option #4 had a lower rear portion of the building with a cost reduction equaling approximately \$60,000.

Mr. McCall voiced concerns with administrative offices being included in the design.

Mr. Moulder addressed several concerns related to continued use of the old jail noting increased operational costs to operate two facilities. He also addressed life safety issues related to the old facility.

Lengthy discussion followed regarding all issues/options.

Mr. Barran made a motion, seconded by Mr. Dexter, approved 5 – 0 to direct the Project Manager & Architects to proceed with Option #4 [copy filed with these minutes] as presented [to include a simplified front facade, pre-engineered metal building, inclusion of administrative offices and an additional 96 bed dorm] for a total authorized amount of \$18.6 million.

### **Break:**

Mr. Thrift announced a 10 minutes break in order to permit the jail presentation team to remove their visual aids. Council took a break from 8:12 p.m. to 8:22 p.m.

## Public Hearing regarding the Following Ordinances

**ORDINANCE 2011-04** "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"  
*[Happy Holler Request]*

Mr. Thrift opened the Public Hearing regarding Ordinance 2011-04.

Mr. Thrift opened the floor for oral comments.

Mr. Tom Markovich addressed Council voicing concerns with the way the Ordinance was amended by both the Planning Commission and County Council.

Mr. Thrift opened the floor for additional oral comments. None were received.

Mr. Thrift opened the floor for written comments. None were received.

Mr. Thrift closed the Public Hearing on Ordinance 2011-04.

**ORDINANCE 2011-07** "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"  
*[Long Creek Orchard Road Request]*

Mr. Thrift opened the Public Hearing regarding Ordinance 2011-07.

Mr. Thrift opened the floor for oral comments.

Ms. Tammy Niebielski addressed Council requesting passage of Ordinance 2011-07 on third and final reading.

Mr. Thrift opened the floor for additional oral comments. None were received.

Mr. Thrift opened the floor for written comments. None were received.

Mr. Thrift closed the Public Hearing on Ordinance 2011-07.

## Consideration of the Following Ordinances:

### Ordinance 2011-04

Mr. Moulder and Mr. Yancy Green, County Planner, addressed Council regarding this rezoning ordinance.

Mr. Corbett made a motion, seconded by Mr. McCall, approved 5 – 0 to approve

**ORDINANCE 2011-04** "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"  
*[Happy Holler Request]* on third and final reading.

### Ordinance 2011-07

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **ORDINANCE 2011-07** "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO" (*Long Creek Orchard Road Request*) on third and final reading.

### Discussion & Possible Action Items:

#### **Sewer Easement, Construction Easement, Right-of-Way & Utility Easement & Temporary Easement Agreements / Echo Hills**

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to [1] approve and purchase the property for the amount recommended in the appraisal, and [2] approve the Right-of-Way & Utility Easement and Temporary Easement Agreements as presented.

#### **Consent Agenda Items/ Local & State ATAX Requests:**

- Up to \$3,100.00 / Pendleton District Commission / Local ATAX / re-ordering 100,000 "Waterfalls of Upstate South Carolina" brochures
- \$7,319.35 / Devil's Fork State Park / State ATAX / Outdoor patio with a fireplace at twenty (20) villas

Mr. Barron made a motion, seconded by Mr. Corboil, approved 5 – 0 to approve the two ATAX requests as presented above.

### Board & Commission Appointments:

#### **Parks, Recreation & Tourism Commission Appointments / 7 Seats**

Mr. Phil Shirley, PRT Director, addressed Council regarding the recommendations for appointment to the newly established PRT Commission. Mr. Dexter questioned if any recommendations if appointed could constitute dual office holding. Discussion followed. Mr. Martin agreed to contact the Attorney General for an opinion regarding Ms. Bailes as she also serves as an elected member of the School District of Oconee County Board.

Mr. Barron made a motion, seconded by Mr. Dexter, approved 5 – 0 to appoint Mr. Brian Greer and Ms. Jo Ann Blake to two year terms and to appoint Mr. Mike Wallace, Mr. Dave Lavere, Ms. Erin McKergow and Mr. Rick Lacey to four year terms on the PRT Commission.

### Commission & Board Reports to Council:

None scheduled for this meeting.

### Council Committee Reports:

None scheduled for this meeting.

### Administrator's Report:

Mr. Moulder had no report at this meeting.

### Old Business:

No Old Business was discussed at this meeting.

## New Business:

### **Council Meeting Time Structure Discussion/Action [recess/business meeting start time]**

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to amend the County Council meeting time to begin the Public Comment Session at 6:00 p.m. to be followed by the business portion of the meeting beginning at 6:30 p.m. or after Public Comment [which ever comes later].

Public Comment will continue to be limited to 40 minutes / 4 minutes per person. Extended Public Comment will continue to be available. This change will become effective June 21, 2011.

## Executive Session:

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend Executive Session to include discussion of a potential Economic Development issue.

Mr. Dexter made a motion, seconded by Mr. Barron, approved 5 – 0 to enter into Executive Session for the purpose of discussing a personnel matter and a potential Economic Development issue.

Council entered Executive Session at 9:03 p.m.

Council returned from Executive Session at 9:45 p.m. on a motion by Mr. McCall, seconded by Mr. Dexter, approved unanimously.

Mr. Thrill stated that no action was taken in Executive Session.

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to direct the County Administrator to proceed with the Economic Development issue discussed in Executive Session.

## Adjourn:

Mr. McCall made a motion at 9:49 p.m. to adjourn the meeting. The motion was approved unanimously.

Respectfully Submitted:

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Elizabeth G. Hulse  
Clerk to Council